



**BOARD OF SUPERVISORS  
ALPINE COUNTY**

County Administrative Office Building  
Post Office Box 158  
Markleeville, California 96120  
Telephone (530) 694-2281

**MINUTES  
November 6, 2007**

**1. CALL TO ORDER / CLOSED SESSION**

Chair Henry C. Veatch called the closed session to order at 11:00 a.m., with Supervisors Donald M. Jardine, Henry Veatch, Phillip D. Bennett, Terry Woodrow, and Gunter E. Kaiser present.

Chair Veatch announced that the Board would adjourn to closed session to discuss the following items. Upon reconvening from closed session, Chair Veatch announced the Board had been in closed session and gave the following report:

**A. CONFERENCE WITH LABOR NEGOTIATOR – (GC §§54954.5 and 54957.6)**

Agency Negotiator: William May

Employee Organizations: Alpine County Deputy Sheriffs Assn., OE Local 3 (DSA); Alpine County Miscellaneous Employees Assn., OE Local 3 (ACMEA); Alpine County Law Enforcement Management Assn. (LEMA); Alpine County Administrative Bargaining Unit (ABU).

Chair Veatch announced information had been exchanged, direction had been given to staff; no action was taken.

**B. PUBLIC EMPLOYEE APPOINTMENT: Professional Recruitment Consultant (GC §§54954.5 and 54957)**

Chair Veatch announced an interview with Ralph Anderson and Associates had been conducted.

**C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (GC §54956.9): one case 550-2007-01601.**

Chair Veatch announced direction had been given to County Counsel; no action was taken.

**2. CALL TO ORDER, ANY OF THE FOLLOWING AGENCIES FOR WHICH THE BOARD OF SUPERVISORS SITS AS OFFICERS: LOCAL TRANSPORTATION COMMISSION / BOARD OF EQUALIZATION / WATER AGENCY. None.**

**3. CALL TO ORDER REGULAR MEETING**

Supervisors Donald M. Jardine, Henry C. Veatch, Phillip D. Bennett, Terry Woodrow, and Gunter E. Kaiser were present. Chair Veatch called the regular meeting to order at 9:00 a.m.

**4. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT**

This portion of the meeting is an opportunity for members of the public to address the Board of Supervisors on subjects relating to county business. No action can be taken on matters not listed on the agenda.

**Minutes Correction** Markleeville resident Nancy Thornburg requested a correction to the minutes of October 16, 2007. Thornburg reported she only asked for a swimming pool in Item 7.1 and requested her letter included in the minutes. Thornburg requested the board to calendar the Design Historic Review Guidelines for discussion and action prior to 2008.

**Introductions** Director of Health and Human Services Hugh Margesson introduced Health Education Program Coordinator Shane Marquardt. Marquardt reported he would soon contact businesses to discuss objectives of the tobacco control ordinance approved by the Board of Supervisors and distribute the no smoking ordinance and California statute sections for placement in their windows. Marquardt reported they would distribute a survey to find out which businesses would support a voluntary no smoking policy within 20-feet of their building doorways. Health Education Program Assistant Liz McGeein provided an update on the employee smoking cessation program and activities for Red Ribbon Week. Supervisor Woodrow requested Marquardt develop Health Education Program activities for Bear Valley.

**Public Works Update** Director of Public Works Dennis Cardoza reported Verizon would have the telephone lines and power poles down in approximately a month and a half to complete the downtown Markleeville project; still working on sidewalks, working with Caltrans on the Montgomery off-street parking setbacks; would be a public hearing next meeting regarding lowering the speed limit through Markleeville from 30 mph to 25 mph; information would be provided regarding the transit system at the next Board meeting; working on ADA at the Museum; working on the Mesa tank. Lead Maintenance Worker Russell Wood provided a briefing regarding road projects.

**Health Services Update** Alpine County Public Health Officer Richard Harvey, M.D. reported the storage contain for emergency food supplies for Alpine County had been purchased and Public Works had installed an air circulation vent on top of the container. Harvey reported working with the Diamond Valley School Principal regarding adding a salad bar to the lunch program and lowering the fat/carbohydrate content of the food they serve; approved a program to apply fluoride varnish to the teeth of children five and under at the Early Learning Center to reduce the rate of cavities; reported they were continuing the diet and exercise program at the Early Learning Center to develop healthy habits; reported the drive through flu vaccination clinic was scheduled for November 8<sup>th</sup> from 11:00 a.m. to 3:00 p.m. in the Health and Human Services driveway; flu vaccinations were available at the Health Department in Woodfords and in Bear Valley.

**Sheriff's Department Update** Sheriff John Crawford reported the drug task force had concluded an ongoing investigation with the seizure of drugs, arrests and court proceedings. Crawford reported there had been vandalism to the water release valves at Lost Lake; the department would increase patrols in the area to prevent future problems.

**Introductions** Director Public Works introduced the new Administrative Assistant III for Public Works, Tami Westergart.

## 5. **BOARD MEMBERS ANNOUNCEMENTS OR REPORTS**

**Supervisor District 1 Donald M. Jardine** attended Museum Blacksmith Shop meeting on October 30<sup>th</sup>; Fire Safe Council meeting at the Woodfords Firehouse; held a District 1 community meeting on November 3<sup>rd</sup> at 9:00 a.m. to discuss community issues; reported a lot of pine needles and brush had been deposited on the burn pile at Turtle Rock Park; invited everyone to attend the Alpine County Historical Society General Membership meeting and potluck on November 15<sup>th</sup> starting at 5:30 p.m. and reported Jim Long would show his famous "Range of Light" slide show; attended the Halloween Parade in Markleeville; will attend the Alpine County Treasury Oversight Committee meeting on November 15<sup>th</sup>; Woodfords Community Council/Superior Court sponsored meet and greet at the Courthouse on November 14<sup>th</sup>.

**Supervisor District 2 Henry C. Veatch** attended Great Basin Unified Air Pollution Control District meeting on November 5<sup>th</sup>; invited everyone to attend Turkey Bingo on November 17<sup>th</sup> at Turtle Rock Park from 7:00 p.m. to 10:00 p.m.

**Supervisor District 3 Phillip D. Bennett** attended regular meetings; attended a wellness trick-or-treating and haunted house for the children on October 31<sup>st</sup> at the Community; Mental Health Board meeting on October 23<sup>rd</sup>.

**Supervisor District 4 Terry Woodrow** attended Mountain Valley EMS meeting on October 17<sup>th</sup> in Copperopolis; Ebbetts Pass Scenic Byway meeting on October 22<sup>nd</sup> in Calaveras County; meeting with Carson Ranger District and Walter and Katie Bell regarding their concerns with the Winter Recreation Plan; Halloween in Bear Valley on October 31<sup>st</sup>; will attend Central Sierra Child Support Agency meeting on November 7<sup>th</sup> in Calaveras County; Planning Commission special meeting regarding the General Plan on November 8<sup>th</sup>; Bear Valley Residents Inc. Board of Directors meeting on November 11<sup>th</sup>; CSAC Annual

Conference November 13<sup>th</sup> – 16<sup>th</sup> in Oakland; requested the Board send a letter to Northern California Power Agency (NCPA) regarding repairing the water drain through their outlet on Lake Alpine; reported the publication "State of the Sierras" contained updated demographic information on Alpine County; reported one of the two large Aspen trees, located in Calaveras County just outside of Bear Valley, could possibly be awarded the Aspen "big tree" champion designation in the State of California.

**Supervisor District 5 Gunter Kaiser** attended Great Basin Unified Air Pollution Control District meeting on November 5<sup>th</sup> in Mammoth Lakes; Fire Safe Council meeting on October 22<sup>nd</sup> in Woodfords; Woodfords Volunteer Fire Department training on October 24<sup>th</sup>; Museum Blacksmith Shop meeting on October 30<sup>th</sup>; will attend Carson Water Subconservancy District meeting on November 17<sup>th</sup> in Carson City; Alpine County Treasury Oversight Committee meeting on November 15<sup>th</sup>.

**6. CONSENT AGENDA**

Matters that are routine and non-controversial and are usually approved by a single majority vote without discussion. Items can be removed from the consent agenda to discussed and considered separately.

Chair Veatch asked if there were any comments or questions on any consent agenda items and Supervisor Kaiser questioned whether Item 6.6 should have a public hearing prior to adopting a new fee schedule. Supervisor Kaiser reported many of the agenda transmittals did not contain a recommended action and requested all future transmittals include a recommendation. Kaiser also requested the Chair be included in the agenda review process.

Supervisor Jardine pulled Items 6.1 and 6.11.

Supervisor Kaiser pulled Item 6.6.

Supervisor Veatch pulled Item 6.7.

**MOTION Woodrow/SECOND Bennett approving the remainder of the consent agenda as follows:**

- 6.2** County claims.
- 6.3** Appointment of Shane Marquardt to Health and Human Services – Health Education Program Coordinator at Range 45/Step 1 effective November 1, 2007 pending successful background and physical examination.
- 6.4** Appointment of Carl Benson to the position of Deputy Sheriff II, Range 43B/Step2, effective November 15, 2007, funded under the Cal-Met Program.
- 6.5** Hiring Tami Foust Westergart as Administrative Assistant III for Department of Public Works at Range 41A/Step 2 effective November 1, 2007 after successful completion of background check and physical examination.
- 6.8** Ratification of **CC2007-87** Indemnification Agreement by and between the County of Alpine and Kirkwood Expedition Partners. LLC (KEP) for construction of a "limited foundation" within the designated building parcel.
- 6.9** **Contract No. CC2007-88** professional services agreement by and between the County of Alpine and Ralph Andersen and Associates: Professional Recruitment – County Administrative Officer, not to exceed \$23,750.
- 6.10** Expend \$1,000 for a new digital camera and appropriation transfer of funds from 167-167-53000-399 (Contingency) to 167-167-52400-249 (Small Tools) and authorization for the Auditor to make appropriate budget changes.

**ALL AYES: MOTION CARRIED.**

**ITEMS PULLED FROM CONSENT AGENDA FOR SEPARATE ACTION:**

- 6.1 Regular meeting minutes of 10-16-2007.**

Supervisor Jardine reported on Page 4, fifth paragraph, Markleeville resident Nancy Thornburg had submitted a letter with one and not three proposals and requested the minutes amended to reflect Thornburg had proposed: "ask if there is any possibility of getting a grant to build/maintain/staff a year-round indoor community swimming pool ... perhaps on the Diamond Valley School property. Kids could take swim lessons (too many kids are growing up not knowing how to swim, I'll bet; we used to have Red Cross swim lessons in years past). Also good exercise for everyone especially older people." Jardine reported he had been working on high speed broadband for the Hung-a-lai-ti and Mesa Vista Communities. Jardine requested a copy of Thornburg's letter attached to the minutes.

**MOTION Kaiser/SECOND Woodrow approving regular meeting minutes of 10-16-2007 as amended above.**

**ALL AYES: MOTION CARRIED.**

- 6.6 Request adoption of resolution in increase the Health Department's Clinic Fee Schedule. - Director Health and Human Services**

**CONTINUED TO NOVEMBER 20, 2007 FOR A PUBLIC HEARING.**

- 6.7 Request approval to enter into a contract with Billing Solutions of Carson City, Nevada for Health Clinic insurance billing and collections. - Director Health and Human Services**

Assistant to the Board Judy Molnar reported there were inconsistencies in the contract and explained she would meet with Health and Human Services staff to discuss them; Molnar requested approving the contract subject to County Counsel review.

**MOTION Jardine/SECOND Woodrow approving Contract No. CC2007-86 with Billing Solutions of Carson City, Nevada for Health Clinic insurance billing and collections, subject to County Counsel review.**

**ALL AYES: MOTION CARRIED.**

- 6.11 Request appropriation transfer of \$700 from 167-167-53000-399 (Contingency) to 167-167-54200-420 (Communications) for replacement of two (2) cell phones and authorization for the Auditor to make appropriate budget changes. - Building Official**

In response to a question from Supervisor Jardine regarding cell phone use, Assistant to the Board Judy Molnar reported they were for business use only and the County must implement a substantiation process for those County employees that use County-issued cell phones. Molnar reported she was developing a cell phone use and purchasing policy.

**MOTION Jardine/SECOND Woodrow approving appropriation transfer of \$700 from 167-167-53000-399 (Contingency) to 167-167-54200-420 (Communications) for replacement of two (2) cell phones and authorization for the Auditor to make appropriate budget changes.**

**ALL AYES: MOTION CARRIED.**

## **7. BID OPENINGS / PUBLIC HEARINGS**

- 7.1 Public hearing and first reading of an ordinance to amend the Alpine County Building Ordinance (Title 15, Alpine County Code) and the adoption of the 2007 California Building Code, in addition to, the State Responsibility Area Maps for Alpine County. - Building Official**

Building Official Randy Gibson reported it had been ten years since California had adopted a new code; the State adopted the International Building Code (IBC) in July 2008. Gibson reported the local communities had until January 1, 2008 to adopt the IBC; the ordinance amended and updated the code adopted in 2002.

Chair Veatch opened the public hearing at 11:22 a.m.

Public Works Director Dennis Cardoza reported he would discuss legal clarifications with County Counsel and the Building Official.

Chair Veatch closed the public hearing at 11:24 a.m.

**MOTION Woodrow/SECOND Kaiser waiving the first reading and setting the second reading and consideration of adoption for November 20, 2007.  
ALL AYES: MOTION CARRIED.**

**8. REGULAR AGENDA – UNFINISHED BUSINESS**

**8.1 Continued update and presentation by US Forest Service representatives regarding issues affecting Alpine County. (Ref: 10-03-95 and continuing the first meeting of every month.)**

Acting District Ranger for the Humboldt-Toiyabe National Forest Carson Ranger District Dave Marlow provided the following update:

- Smoke over the weekend was from the China Springs fire; 335 acres burned along the Carson River in the Mud Lake area; had 5 hand-crews, 9 engines and 3 helicopters on the fire; the fire was human-caused. Alpine County sent a crew with 8 volunteers under the Mutual Aid Agreement.
- Burn permits would not be issued until there was more moisture in the area.
- Issued approximately 1,900 one-cord permits for wood; the fuels program for issuing permits would close November 11<sup>th</sup>.
- Christmas tree tags would go on sale November 19<sup>th</sup> at the Chamber of Commerce in Markleeville.
- Campgrounds in Alpine County were closed for the season.
- Alpine Winter Recreation Plan – former District Ranger for the Humboldt-Toiyabe National Forest Carson Ranger District Gary Schiff had signed the decision on that project the end of August. The appeal period for the plan closed October 15<sup>th</sup>; three appeals were received, one from California Fish and Game, one from the High Sierra Hikers and one from residents along Blue Lakes Road. The U.S. Forest Service had met with all appellants to discuss and resolve issues.

**8.2 Second reading and possible adoption of an ordinance to amend the Alpine County Zoning Ordinance (Title 18, Alpine County Code) as follows:**

- A. Establish a new definition for secondary dwelling unit and rescind existing definitions for second family dwelling and guest house;**
  - B. Allow secondary dwelling units as a permitted use within the following zoning districts: Agriculture (AG), Agriculture Preserve (AP), Timber Preserve (TP), Planned Development (PD), Residential Estate (RE) and Residential Neighborhood (RN);**
  - C. Rescind requirements for conditional use permits for second family dwellings and guest houses;**
  - D. Establish new standards and requirements for permits for secondary dwelling units.**
- Director of Planning (Ref. 10-16-2007)**

Planning Director Brian Peters reported a secondary dwelling unit was defined as a relatively small, apartment-type unit in conjunction with a single family home; either attached or detached depending on the circumstances as outlined in the ordinance. In response to concerns raised last meeting regarding two lots sharing one well, Peters reported Environmental Specialist Dennis Lampson recommended minimum production standards for those wells, an easement and agreement among property owners sharing the well and documentation that the lot where the second family dwelling was proposed was capable of having its own well in the future; these had been incorporated into the ordinance starting on Page 8. Peters recommended waiving the second reading and adopting the ordinance.

**MOTION Kaiser/SECOND Jardine waiving the second reading and adopting Ordinance 679-07 amending the Alpine County Zoning Ordinance (Title 18, Alpine County Code) as follows:**

- A. Establishing a new definition for secondary dwelling unit and rescind existing definitions for second family dwelling and guest house;**
  - B. Allowing secondary dwelling units as a permitted use within the following zoning districts: Agriculture (AG), Agriculture Preserve (AP), Timber Preserve (TP), Planned Development (PD), Residential Estate (RE) and Residential Neighborhood (RN);**
  - C. Rescinding requirements for conditional use permits for second family dwellings and guest houses;**
  - D. Establishing new standards and requirements for permits for secondary dwelling units.**
- ALL AYES: MOTION CARRIED.**

**9. REGULAR AGENDA – NEW BUSINESS**

**9.1 Monthly update of Administrative Operations Plan, Woodfords Fire Department. - Sheriff**

Woodfords VFD Chief Buck McLelland reported the October financial report and purchasing was on target with projections; they had 28 volunteers; discussed starting a junior program; reported they were close to making the Woodfords-Washoe Community Firehouse operational with equipment and volunteers; sent two brush engines, two command vehicles, two ATVs and 9 volunteers to the China Springs Fire; the Woodfords VFD kitchen remodel was close to completion; will bring a long-term strategic plan for water and fire issues to the Board for consideration; placed Woodfords VFD on list for receiving donated equipment from Sac-Metro Fire.

**9.2 Request for approval for the transfer of management and implementation of the Woodfords Fire water tank project from County Public Works Department to Alpine County Sheriff's Office of Emergency Services. - Sheriff**

Director Public Works Dennis Cardoza reported the Sheriff's Department and the Woodfords VFD had plans to change the design of the tank and add additional tanks to better enhance the County's response; they had requested to take over the project. Cardoza reported the tank was done; there were concerns with the connection. Cardoza reported he would turn over all project documents to allow them to complete the design and construction of the tank.

**MOTION Kaiser/SECOND Woodrow transferring management and implementation of the Woodfords Fire water tank project from County Public Works Department to Alpine County Sheriff's Office of Emergency Services.**

**ALL AYES: MOTION CARRIED.**

**9.3 Discussion regarding the Mental Health Services Act (MHSA) planning process for Alpine County and request for Board input on priority populations and services to develop with the MHSA funding. - Mental Health Director**

Assistant to the Board Judy Molnar reported the California voters passed the Mental Health Services Act that placed a 1% tax on persons earning over a million dollars per year; the intent of the act was to bring new mental health services to counties; funds could not supplant existing services or services that were currently available.

Behavioral Health Services Administrative Coordinator Jodi Long distributed the MHSA allocation budget, a survey and a list of upcoming meetings. MHSA plan writer Nancy Callahan explained the allocation sheet for MHSA and explained they were working on a three-year Community Services and Support Plan to apply for funds; the State funds did not require a County match. Callahan requested stakeholder and community input regarding unmet needs and underserved populations and reported the mental health funds were targeted for seriously emotionally disturbed children and seriously mentally ill adults.

**9.4 Quarterly update of projects and work program activities and discussion of 2008 work program priorities for the Planning Department. - Planning Director**

Planning Director Brian Peters provided and update of projects, work program activities and priorities for the Planning Department.

**9.5 Report to the Board of Supervisors on the Bear Valley Snowmobile Use Community Workshop and possible direction to staff on the next steps. - Planning Director**

Planning Director Brian Peters reported a workshop, moderated by County Counsel Martin Fine was held on September 29<sup>th</sup> in Bear Valley to discuss snowmobile use within Bear Valley, issues related to snowmobile travel through common areas, and the process for the community to find a solution to reconcile the varying opinions about snowmobile use and how that relates to county ordinances. Peters provided a staff memo summarizing the workshop and identifying the next steps; Peters also provided written notes taken from public input during the workshop. Peters reported they had developed short term and long term solutions; staff was pursuing moving the trail back to the previous route across private property for one year

while working with the community to find a long term solution that addresses the community's needs and concerns with snowmobile travel and trail corridors in Bear Valley.

There was Board consensus to move forward with a working group of 5 to 8 persons (representatives from various interests and stakeholders) to work the issues.

**9.6 Discussion of setting a possible date for a presentation to the Board on the proposed revisions to the General Plan Land Use Element that are currently being reviewed by the Planning Commission. - Planning Director**

Planning Director Brian Peters reported the Planning Commission had held several community workshops and developed proposed revisions to the General Plan Use Element regarding community character, adequate public facility and service standards and growth management policies. Peters explained they had requested Board input on some of the significant policy issues contained in the proposed revisions before committing to the next steps of preparing a more formal document to amend the General Plan and preparing an environmental review document. Peters reported some of the policy issues could dramatically change the way the County would handle future developments proposals.

Workshop set for December 18, 2007 at 1:30 p.m.

**9.7 Discussion and possible Board direction regarding redesign and modification of the Museum Blacksmith Shop project and associated Per Capita Grant. - Director Public Works**

Director Public Works Dennis Cardoza reported the grant was for a blacksmith shop and some landscaping; the project scope had been reduced to a blacksmith display in the existing carriage shed in order to meet all ADA requirements for access to the carriage shed, the jail and the schoolhouse. Cardoza reported Museum Director Dick Edwards approved the modification, grant writer Lynn Nolan was modifying the grant to accommodate the changes, and the Building Department was waiting for ADA plans. Cardoza requested approval from the Board to move forward.

**MOTION Kaiser/SECOND Jardine directing Director Public Works to go forward with the redesign and modification of the Museum Blacksmith Shop project and associated Per Capita Grant.  
ALL AYES: MOTION CARRIED.**

**9.8 Discussion and possible action authorizing letter in response to proposed Pacific, Gas & Electric (PG&E) weather modification activities (cloud seeding) during the 2007-08 winter in the Mokelumne Watershed above Salt Spring Reservoir. - Supervisor Jardine**

Supervisor Jardine reported last year four agencies had conducted active cloud seeding on the west side of the Sierras and questioned the impact that would have on east side rain/snow volume. Jardine requested staff send a letter to Desert Research Institute to find out if there was any scientific evidence regarding effects of cloud seeding on one side of a mountain range affecting rainfall on the other side.

**10. DEPARTMENTAL MATTERS**

**10.1 ASSISTANT TO THE BOARD**

**a) Assistant to the Board / Purchasing Agent update and oral communication.**

Assistant to the Board Judy Molnar provided the following report:

- Alpine County could obtain reduced rate cell phone services through General Services Administration at the State level; all County plans should be integrated into one. Molnar was developing a County cell phone use policy.
- The first South Tahoe Public Utility District Recycled Water Monitoring TAC meeting was scheduled for November 14, 2007 at 1:30 p.m. to look at the monitoring stations and decide whether they needed to be replaced and where they would be located.
- Alpine County Superior Court was sponsoring a Meet and Greet with the Washoe Tribe on November 14<sup>th</sup> from 5:00 p.m. to 7:00 p.m. at the Courthouse. Molnar encouraged Board members to attend.
- Received the Prop. 50 grant in the amount of \$550,000 for the replacement of the Markleeville water line. Molnar explained we had originally applied for \$1.2 million. Molnar reported the next step was to complete

a time line to undertake the project; the County had until 2011 to complete the work. Molnar reported she would make a request to the Board for a waiver of the permit fees.

- The Vehicle Use Policy would come back to the Board for consideration next meeting.

## **10.2 County Counsel**

### **a) County Counsel update and oral communication.**

County Counsel Martin Fine provided the following report:

- Working with Director Public Works Dennis Cardoza regarding update to Sorensen's Agreement for connection to the STPUD C-Line.
- Working with Assistant to the Board Judy Molnar regarding the encroachment permit for the property on the corner of Main and Montgomery Streets.
- Will meet with Assistant to the Board Judy Molnar and Auditor-Controller Randi Makley regarding the Kirkwood tax revenue sharing issues.
- Reminded all departments that the County has a Purchasing Agent, Judy Molnar, and all contracts should be sent to her prior to placing on the agenda for approval. Fine was working with Molnar to update purchasing policies.

## **11. ADJOURNMENT**

The Board adjourned to the Special Meeting on Wednesday, November 14, 2007 at the Alpine County Superior Court, 19777 State Route 89, Markleeville, California and then to the next regular meeting of Tuesday, November 20, 2007 at 9:00 a.m. at the County Administrative Office Building, Markleeville, California.

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Henry C. Veatch, Chair, Board of Supervisors  
County of Alpine, State of California

### **ATTEST:**

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Barbara Howard, County Clerk & ex officio  
Clerk of the Board of Supervisors